

July 13, 2015

Chief, Multimedia Permits and Compliance Branch  
Caribbean Environmental Protection Division  
U.S. Environmental Protection Agency, Region 2  
City View Plaza II, Suite 7000  
48 RD. 165 Km. 1.2  
Guaynabo, Puerto Rico 00968-8069

RE: Administrative Order on Consent Docket Number CWA-02-2015-3102 –  
Compliance with AOC Section VII, ¶77 Q-2 Report

Dear Chief:

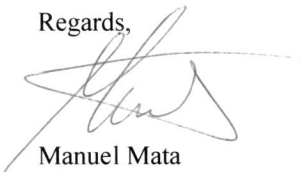
On March 18, 2015 AES Puerto Rico LP (“AES-PR”) and the United States Environmental Protection Agency (“EPA”) entered into the above referenced Administrative Order on Consent (“AOC”), under which AES-PR is obligated to comply with certain requirements (AOC Section VII, Ordered Provisions). All capitalized terms in this letter shall have the meaning as defined in the AOC.

Under AOC Section VII ¶77, Until Termination of this Order, Respondent shall prepare and submit Quarterly Progress Reports (QPR) that describe the current status and progress of Respondent’s actions taken to comply with the provisions of this Order.

In compliance with the new AOC requirement, AES-PR hereby submits the required QPR for Q-2 2015 as an attachment to this letter.

Please note that AES-PR is submitting this report in advance of the required deadline. We respectfully ask EPA to advise AES-PR promptly, should the agency have any concerns with this submission. Should AES-PR not receive any timely comments from EPA, we will reasonably consider that EPA has agreed that AES-PR has satisfied this requirement of AOC Section VII, ¶77 Q-2 2015 report. Should EPA require additional time to review and provide comments back to AES-PR, that review time is of course entirely beyond the control of AES-PR and should be added to the required time frame for AES-PR to comply with this requirement.

Regards,

  
Manuel Mata  
President AES Puerto Rico  
Attachments

Cc: Director, Water Quality Area, PREQB  
Environmental Files

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DIVISION

**Administrative Order on Consent**  
**AES Puerto Rico Coal Fired Power Plant**  
**Docket Number CWA-02-2015-3102**  
**NPDES Tracking Number PRU020663**

Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



Manuel Mata  
President AES Puerto Rico

07/13/15

Date

# **Quarterly Progress Report (QPR)**

## **No. 2**

**Administrative Compliance Order  
AES-PR Coal Fired Power Plant  
Docket Number CWA-02-2015-3102**

**July 10, 2015**

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AES Puerto Rico, LP (AES-PR) is hereby submitting to the United States Protection Agency (USEPA) this Quarterly Progress Report (QPR) in accordance with Provision 77 of the Administrative Compliance Order (ACO), Docket Number CWA-02-2015-3102.

## **Milestones and Activities**

This reporting period covers the actions taken from April 1, 2015 to June 30, 2015. During this reporting period AES-PR completed a number of actions towards meeting the Provisions of this ACO, including:

- 1- **Ordered Provision 68** - Upon the Effective Date of this Order and for a period of one year, Respondent shall conduct benchmark monitoring and analyze samples according to Part 6.1.3 (measurable storm event), Part 6.1.4 (sample type), Part 6.1.5 (adverse weather condition), Part 6.1.7 (monitoring periods), Part 6.2.1.1 (applicability of benchmark monitoring), Part 6.2.1.2 (benchmark monitoring schedule), Part 8.O.7 (sector-specific benchmark for steam electric power generating facilities) and Part 8.Q.6 (sector-specific for water transportation) of the MSGP. Also, Respondent shall:

- a. monitor at least once at the permanent sampling points 001, 002, and 003 (SP-001, SP-002, and SP-003, respectively) in each of the following 3-month intervals: January 1 – March 31; April 1 – June 30; July 1 – September 30; and October 1 – December 31;
- b. analyze the samples for total aluminum, total iron, total lead and total zinc;
- c. document monitoring activities and laboratory reports for each sampling point; and
- d. prepare MDMR forms within thirty (30) days of receiving the laboratory results. Respondent shall use the MDMR available at the EPA's web site at <http://water.epa.gov/polwaste/npdes/stormwater/>.

AES-PR personnel monitored permanent sampling points 001, 002, and 003 during April 1 – June 30, 2015. No discharge was generated at sample point 003 during this monitoring period. Measurable storm event samples were collected from outfall 001 and 002 on June 27, 2015. Samples were sent to a certified laboratory to be analyzed for total aluminum, total iron, total lead and total zinc. Monitoring activities and laboratory results will be documented once they are received. MDMR forms will be prepared and submitted to USEPA within thirty (30) days of receiving the laboratory results.

- 2- **Ordered Provision 67** - Within sixty (60) calendar days of the Effective Date of this Order, Respondent shall prepare, for EPA review and approval, a storm water sampling SOP (SW Sampling SOP) to conduct, document and submit storm water sampling data reports according to the quarterly visual assessment of storm water discharges and benchmark monitoring requirements in the MSGP. Respondent shall begin implementing the SW Sampling SOP upon its submission to EPA for review and approval. Any changes required to the SW Sampling SOP by EPA shall be made by Respondent within thirty (30) calendar days of EPA's request and be fully implemented at that time.

AES-PR submitted to USEPA on April 13, 2015 the SW Sampling SOP to conduct, document and submit storm water sampling data reports according to the quarterly visual assessment of storm water discharges and benchmark monitoring requirements in the MSGP. This SOP was implemented immediately by AES-PR upon the date of submission to EPA. No additional changes to this SOP were requested by EPA during this reporting period.

- 3- **Ordered Provision 72** - Within ninety days (90) calendar days of the Effective Date of this Order, Respondent shall prepare and submit a detailed Plan of Action (POA), for EPA review and approval, and subsequent implementation by Respondent, which shall include at a minimum:

- a. a review and revision of the selection, design, installation, and implementation of Respondent's control measures in accordance with Part 3 of the MSGP;**
- b. a description of each action to be taken to comply with Part 3.2 (Conditions Requiring Review to Determine if Modifications Are Necessary) and Part 6.2.1.2 (Benchmark Monitoring Schedule) of the MSGP, which requires Respondent to review the selection, design, installation, and implementation of control measures to determine if modifications are necessary to meet the effluent limits in the MSGP. Specifically, Respondent shall perform this review for aluminum and iron; and**
- c. a plan for the minimization and control of dust (including fugitive dust) from coal combustion residuals and/or Agremax<sup>TM</sup> at the Facility and during transport (hereinafter, the "Dust Control Plan"). The Dust Control Plan shall include site management procedures such as wetting the Agremax<sup>TM</sup> storage pile at the Facility to ensure compliance with applicable MSGP requirements relating to dust control, and an implementation schedule.**

AES-PR submitted to USEPA on June 8, 2015 a report consisting of a detailed Plan of Action (POA), with all the requirements established in provision 72. This includes a description of conditions requiring a review and revision of the selection, design, installation implementation of storm water control measures at the AES Puerto Rico LP (AES-PR), the actions taken to date, and any additional actions / implementation schedule required to comply with the applicable benchmark monitoring parameters of the 2008 Multi Sector General Permit. Also, AES-PR submitted to USEPA a Dust Control Plan for the minimization and control of dust from the coal combustion residuals and Agremax handling activities at the site. This information was submitted in hardcopy and electronic form. No additional changes to this POA were requested by EPA during this reporting period.

- 4- **Ordered Provision 76** - No later than sixty (60) days after the Effective Date of this Order, Respondent shall submit a certification stating that Respondent created the position of, and hired, the Coordinator referenced in Paragraph 74, above.

The certification for the above referenced position was submitted to USEPA on May 16, 2015. Eng. Pedro E. Labayen has been hired for the Storm Water Compliance Coordinator position at AES-PR.

- 5- **Ordered Provision 77 b(3)** - a cost report detailing the expenses incurred as of the date of the QPR.

The table below summarizes expenses incurred to date.

### Costs Report

EPA ACO Expenses			
Activities	Expenses for this period	Expenses to Date	PO Limit
Sweeper Dulevo 200 Quattro	\$65,250.00	\$65,250.00	\$65,250.00
Quick-Cover roll up style roll off cover	\$1,898.00	\$1,898.00	\$1,898.00
Quick-Cover replacement wheel handle	\$600	\$600	\$600
<b>TOTAL</b>	<b>\$67,748.00</b>	<b>\$67,748.00</b>	<b>\$67,748.00</b>

### 6- Activities for Next Reporting Period

AES –PR has completed most of the requirements by USEPA under this Administrative Order on Consent. The remaining activities to comply with all provisions of this Order includes, conducting benchmark monitoring and analysis of samples for a period as

**Quarterly Progress Report (QPR) No. 2  
Administrative Compliance Order  
AES-PR Coal Fired Power Plant  
Docket Number CWA-02-2015-3102**

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required in the AOC provision 68, and to continue in compliance with the CWA, its NPDES implementing regulations, the MSGP, and any NPDES permit.

Additional changes or modifications required by USEPA to any of the previously submitted documents, will be completed by AES-PR in accordance with the provisions of the ACO by their respective due dates.



## Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



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Manuel Mata  
Plant Manager